

**COUNCIL MEETING
MONDAY SEPTEMBER 17, 2018
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Annette Iafallo presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Annette Iafallo.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council: Present: Noman, Schultz, Leonard, Surdyke, Iafallo

Dept. Heads: Present: Law, Development, Comptroller, Public Safety, Recreation,
Public Works

Approval of Minutes: of regular meeting of September 4, 2018

Moved by Iafallo seconded by Noman to adopt minutes of regular meeting of September 4, 2018 as written
Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo Carried 5-0

Departmental Reports:

1. **City Comptroller-** A/P Check Listing #6, August 30, 2018
2. **City Comptroller-** A/P Check Listing #7, September 6, 2018
3. **City Clerk-** Monthly Revenue Report for August 2018
4. **City Treasurer-** Total receipts deposited into the General Fund Account for August 2018

Moved Iafallo seconded by Surdyke to receive and file departmental reports one thru four
Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo Carried 5-0

Communications from the Mayor:

B.O.Y.S. Association Baseball Lease

5. To: City Council

I would like to continue the opportunity to discuss the lease regarding B.O.Y.S. Association baseball. As the entire city council is aware, we have, collectively, been receiving numerous complaints about the organization, their direction, and the board of directors.

I think it's time that we elected officials have an open and fair discussion with the organization and let them present their case to us as to their side of the story.

If this conversation doesn't happen or we are not satisfied with what is said; it may be recommended that we revoke their lease and possibly look for a new organization to teach our children the great American pastime-baseball.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Iafallo seconded by Leonard to send a certified letter informing them of the revocation of the lease agreement with the City

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo Carried 5-0

Communications from the Council:

Sustainable Public Transportation System Petition

6. To: City Council

Attached you will find a copy of a petition provided by Douglas Funke, President of Citizens for Regional Transport, an organization that supports an Integrated and Sustainable Public Transportation System.

Along with the petition is a list of area Organizations and Community Leaders who support:

1. Extend Metro Rail along highest demand corridors
2. Provide Inter-modal connectivity
3. Establish long-term sustainable transit funding

I am asking the City Council to join along with Citizens for Regional Transport and these organizations and Community Leaders by signing the attached petition.

(Petition on file with City Clerk)

RONALD W SCHULTZ-2ND WARD COUNCIL MEMBER

Moved by Iafallo seconded by Noman to approve request to sign the petition

Yeas: Noman, Schultz, Surdyke, Iafallo

Nays: Leonard

Carried 4-1

City Hall Sidewalk

7. To: City Council

The walkway in front of City Hall has been torn up most of the summer. This area is included in our central business district and the designated area for the Arts on Ridge annual event.

I asked the Commissioner of Public Works to inform the council as to the allowable timeframe for utility companies to complete the work including any concrete work of sidewalks that is deemed necessary.

Thank you in advance for your anticipated cooperation in this matter.

WILLIAM LEONARD-3RD WARD COUNCIL MEMBER

Moved by Iafallo seconded by Noman to receive and file

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Waive Rules:

Moved by Iafallo seconded by Leonard to waive rules

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Reverter Extension

I am requesting an extension on the property I bought from the City 149 Ingham Avenue and 163 Ingham Avenue to give me time to build the house by the end of 2019.

Thank you for your cooperation in this matter.

ABDUSALAM NOMAN

Moved by Iafallo seconded by Schultz to approve request

Yeas: Schultz, Leonard, Surdyke, Iafallo

Excused: Noman

Carried 5-0

Communications from Department/Division Heads:

Police Department-Retiree

8. To: City Council

Please be advised that Jeffrey Welsh has retired from the Police Department as of August 31, 2018.

CAROLYN A NICOMETO-CITY COMPROLLER

Moved by Iafallo seconded by Noman to receive and file

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Assistant City Attorney Budget Adjustment

9. To: City Council

I am requesting to defund the (2) Part Time Assistant City Attorney positions and create and fund the position of (1) Full Time Assistant City Attorney with a salary of \$43,000.

If you have any questions please feel free to contact me.

CAROLYN NICOMETO-CITY COMPROLLER

Moved by Iafallo seconded by Surdyke to receive and file, act on ordinance

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

9. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to defund the position of (2) Part Time Assistant City Attorney and create and fund the position of (1) Full Time Assistant City Attorney with a salary of \$43,000.00

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to defund the position of (2) Part Time Assistant City Attorney

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to create and fund the position of (1) Full Time Assistant City Attorney with a salary of \$43,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Surdyke to adopt ordinance as written

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Funding for Memorial Parking Lot

10. To: City Council

I am requesting to advance \$186,089.00 to the Capital Fund for paving the Memorial Parking Lot. The Capital Fund will repay the advance within the 2018-19 fiscal year upon completion of the project and the City has received reimbursement from CHIPS and the CDBG.

If you have any questions please feel free to contact me.

CAROLYN NICOMETO-CITY COMPROLLER

Moved by Iafallo seconded by Leonard to receive and file, act on ordinance

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

10. (A) AN ORDINANCE AUTHORIZING AN INTER-FUND ADVANCE BETWEEN THE GENERAL FUND AND THE CAPITAL FUND

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the General Fund will advance \$186,089.00 to the Capital Fund for the paving project of the Memorial Parking Lot

SECTION 2. That the Capital Fund will repay the advance within the 2018-2019 fiscal year when the CDBG and CHIPS reimbursement is received

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Leonard to adopt ordinance as written
Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Fire Department-Assistant to Firefighters Grant

11. To: City Council:

The fire department has received an Assistant to Firefighters Grant in the amount of \$60,835. This money is earmarked to purchase fire hose, fire equipment, training equipment and EMS equipment. The cost share of this grant for the City is \$2,896.

I ask your Honorable Body to amend the budget to create a line in the amount of \$62,000 for this grant and please direct the City Clerk to advertise for bids. Specifications have been prepared and ready for bid.

If you have any questions feel free to call me.

RALPH GALANTI-FIRE CHIEF

Moved by Iafallo seconded by Surdyke to receive and file act on ordinance, direct the City Clerk to advertise for bids

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

11. (A) AN ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE ADOPTED JUNE 12, 2018

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2018-2019 Budget Ordinance adopted June 12, 2018 is hereby amended to increase revenues and appropriations for the Fire Equipment Grant

SECTION 2. That the 2018-2019 Budget Ordinance is hereby amended to add \$57,939.00 to budget code A.0000.3389 Fire Equipment Grant Revenue

SECTION 3. That the 2018-2019 Budget Ordinance is hereby amended to add \$62,000.00 to budget code A.3410.281 Fire Equipment Grant Expenditure

SECTION 4. That the 2018-2019 Budget Ordinance is hereby amended to appropriate \$4,061.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Surdyke to adopt ordinance as written
Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Fire Department-Fire Pumper Bids

12. To: City Council

I ask your Honorable Body to please direct the City Clerk to advertise for bids for a new pumper.

Specifications have been prepared and are ready for bid.

I am also requesting that your Honorable Body remove from the table item #13 from the regular meeting of August 20, 2018.

If you have any questions feel free to contact me.

RALPH GALANTI-FIRE CHIEF

NO MOTION-FAILED

Galanti Park Paving

13. To: City Council

I am requesting that the Council accept the bid from Occhino for Galanti Park. The cost is \$77,817.00: Funding for this project will come from the NYS office of parks and recreation.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

Moved by Surdyke seconded by Iafallo to approve request to award bid to Occhino Paving

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Memorial Park Paving

14. To: City Council

I am requesting that the Council accept the bid from Occhino for the Memorial parking lot. The cost is \$186,089.00: \$100,000.00 will come from block grant funds, the remaining balance will come from Chips funding.

ANTHONY DESANTIS-COMMISSIONER

Moved by Schultz seconded by Iafallo to approve request

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Heating, Ventilation and Air Conditioning Quotes

15. To: City Council

Attached you will find a letter from me to you dated July 6, 2018 regarding environmental control issues in the City Clerk's Office. Also attached for your review are three (3) quotes from Heating, Ventilation and Air Conditioning (HVAC) contractors proposing a resolution for the foretasted comfort control issues.

These quotes were obtained by working closely with John Gambino, who in turn laid the groundwork with these companies to devise a plan to deal with this on-going issue. John has personally met with each company, explained our needs and secured the quotes. I personally want to thank Mr. Gambino for his efforts.

Copies of these quotes, along with my original letter to the City Council, have been provided to Anthony DeSantis, the Commissioner of Public Works for his input and review.

Thank you for your time and consideration in this matter.

(Quotes on file with City Clerk)

JEFFREY P DEPASQUALE-CITY CLERK

Moved by Iafallo seconded by Leonard to receive and file

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Communications from Citizens:

Wireless Telecommunications Facilities

16. To: City Council

As you know, my client, Up State Tower, is interested in leasing three city properties for the construction of wireless telecommunications facilities.

I respectfully request to appear before City Council to discuss the proposals and other communications services that Up State Tower and Blue Wireless can provide for the City at the September 17th meeting.

I look forward to speaking with you further.

DONALD W CARPENTER-CARPENTER CONSULTING GROUP, LLC

Moved by Iafallo seconded by Leonard to receive and file

Yeas: Noman, Schultz, Leonard, Surdyke, Iafallo

Carried 5-0

Questions for the Council

17. To: City Council

1. On August 20, 2018 at the council meeting, Council President Annette Iafallo request the City Council change the criteria for Honorary Street-Renaming. The council tabled this item for the next council meeting which was on September 4, 2018 but it was not even discussed even though you know this was on the citizen's minds. Some citizens came to the meeting specifically for this but could not address the issue. The related comments and questions I have for you are the following:

A. On May 1, 2017 former Council President Lewis and former Council member Joe Jerge had a proposal regarding the recommendation procedures for renaming streets.

B. On 06/06/2017 City Clerk asked Council to approve a resolution establishing a non-binding street naming committee as per the guidelines authorized by the recommendation/procedures for renaming streets, which was approved at the May 1, 2017 regular meeting. This also required the approval of committee candidates who were:

1st Ward- Mona Abdul 2nd Ward- Mark Friend 3rd Ward- Nancy Whelan 4th Ward- Thomas A. Fino

C. On April 18 this council approve by 5-0 to approve procedure for renaming streets after certain requirements were met. This was approved by the council.

My question: When did the approval of renaming a street after a country get approved? Under the requirements for a street to get a name change it does not say you could do that. Also how come it was never brought up at a council meeting? I have looked at all council meetings from 2017 till 2018 and cannot find when and where this was approved.

My second question is concerning "Hearings from Citizens". The Council President Mrs. Iafallo has said the council has stated it has decided to only answer questions that are on the agenda due to the fact they were getting questions that they could not answer on the spot, and if they put it on the agenda that would give them more time to give an answer. The problem with that statement is that-

1. You must put your question to the council 1 week before council meeting and it must be in by Wednesday 12:00 noon

2. Although at council meetings where we have city department heads present, we have seen this council ask these dept. heads question about things they knew could not be answered on the spot...where this council has the ability to go into dept. head offices and get information before a council meeting.

3. Although we agree certain items should be put on the agenda by citizens, "Hearings from Citizens" means just that. Hearing from them, there may be issues that one of these 18,000 citizens of Lackawanna need to address, and it may not have happened in that prior week that you need to put an item on agenda. When a citizen of Lackawanna comes to the city council, which is a public meeting to address certain issue that affect their community, we should at least expect our elected officials to hear us out. We the citizens should be able to address this council for a few minutes per meeting, even if it is not on the agenda. We used to have both in Article 111 Rules of Procedures

Rule 5-22 Order of business
Rule -6 Communications from citizens
Rule 10 Hearing from citizens

Please quit saying you changed this rule for citizens; you did not. Even though some citizens do not act right and try to grandstand, the majority of the citizens of Lackawanna who come to these meetings on a regular basis because they care for their city, and only want to help. But when elected officials we elected try to change or make rules that stop regular citizens from being able to question their public servants because it is not on an agenda, or the question may seem distasteful, this is wrong and needs to be challenged.

JOHN INGRAM

Moved by lafallo seconded by Noman to receive and file
Yeas: Noman, Schultz, Leonard, Surdyke, lafallo

Carried 5-0

Business Registration:

Deborah Fiore-66 Wiesner Road-dba: Connections-A Marriage & Family Therapy Practice PLLC

Moved by lafallo seconded by Leonard to approve business registration
Yeas: Noman, Schultz, Leonard, Surdyke, lafallo

Carried 5-0

Adjournment:

Moved by lafallo seconded by Surdyke meeting adjourned
Yeas: Noman, Schultz, Leonard, Surdyke, lafallo

Carried 5-0

Annette lafallo-Council President

Jeffrey P. DePasquale, City Clerk